



W.P.(MD)No.17463 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.17463 of 2025

and

W.M.P.(MD)Nos.13320 and 13322 of 2025

Jayaprakashram

... Petitioner

-VS-

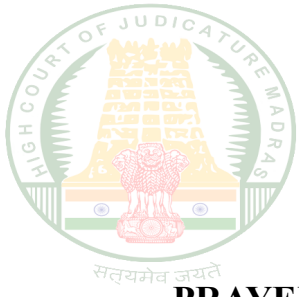
1.The Managing Director,
Madurai Division,
TNSTC, By-pass Road,
Madurai - 625 016.

2.The General Manager,
Virudhunagar Head Office and Region,
Virudhunagar to Madurai By-pass Road,
Virudhunagar - 626 101.

3.The Manager (Administration),
Virudhunagar Head Office and Region,
Virudhunagar to Madurai By-pass Road,
Virudhunagar - 626 101.

4.The Director and Professor,
The Regional Institute of Ophthalmology and
Government Ophthalmic Hospital,
Egmore, Chennai - 600 008.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records of the impugned orders in Na.Ka.No.2546/Maku/2025 dated 16.06.2025, passed by the fourth respondent and Virudhu/Nir/A2/147-2/2025 dated 18.06.2025, passed by the second respondent and quash the same.

For Petitioner	:	Mr.R.Murugappan
For R1 and R3	:	Mr.S.C.Herold Singh Standing Counsel
For R2	:	Mr.S.Ramachandra Pradeep Standing Counsel
For R4	:	Mr.K.Balasubramani Special Government Pleader

ORDER

The instant writ petition has been filed seeking to quash the impugned orders passed by the fourth respondent in Na.Ka.No.2546/Maku/2025 dated 16.06.2025 and by the second respondent in Virudhu/Nir/A2/147-2/2025 dated 18.06.2025.

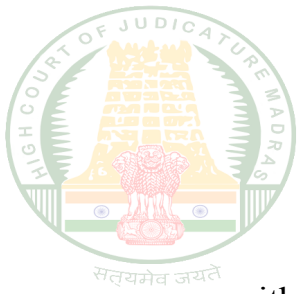
2. The learned counsel for the petitioner submits that the petitioner was employed as a 'driver' with the Tamil Nadu State Transport Corporation under Office Order No. 2:1962:2007. While in service, on 16.02.2016, he suffered a serious road accident resulting in a severe head injury and damage to his optic



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nerves due to glass fragments entering his eyes, ultimately leading to 100% cortical blindness. Pursuant to administrative directions, the petitioner was examined by the Chennai Egmore Regional Government Ophthalmological Committee, which, by its report dated 27.02.2018, confirmed that the petitioner had sustained 100% visual disability due to cortical blindness. Based on the said medical determination and by the decision of the Sub-Committee, the petitioner was accommodated in the post of Non-ITI Helper (recaning worker) and has been continuously discharging his duties in that role at Virudhunagar Zone for the past seven years.

3. The learned counsel further submits that despite this settled medical finding, the petitioner was repeatedly directed by the respondents to appear for fresh vision tests at the Government Eye Hospital, Egmore, Chennai. He contends that such repeated directions are unwarranted, arbitrary and in violation of the finality attached to the 2018 medical board report, especially, when there has been no change in the petitioner's medical condition. Moreover, the impugned orders dated 16.06.2025 and 18.06.2025 issued by the fourth and second respondents respectively, once again directing the petitioner to undergo further vision tests,



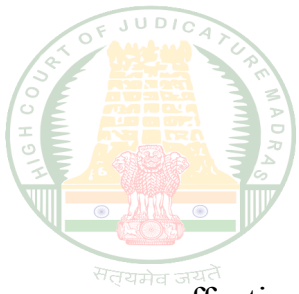
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are without justification, causing undue hardships, which amount to harassment.

The repeated medical evaluations infringe upon the petitioner's dignity and fundamental rights, particularly when he has already been certified with permanent visual disability. Hence, the learned counsel for the petitioner prays that the impugned orders be quashed and appropriate relief be granted.

4. The learned Standing Counsel appearing for the respondent Corporation submits that the writ petition filed by the petitioner is premature and devoid of merit. It is contended that although the petitioner was previously certified with 100% cortical blindness by the medical board in 2018 and was accommodated in an alternative post, the current call for a re-evaluation of his medical condition is an administrative measure based on periodic review protocols applicable to employees working under disability quotas.

5. It is further submitted that the impugned orders dated 16.06.2025 and 18.06.2025 merely direct the petitioner to undergo a fresh medical examination and do not, by themselves, result in any adverse action against the petitioner. The learned Standing Counsel submits that no final decision has been taken yet



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6. The learned Standing Counsel also stress that the employer retains the authority to verify and confirm the medical status of its employees, particularly, in cases involving permanent disability claims. The petitioner is not being penalized, but is only required to cooperate with the medical review process and his rights, if any, can be safeguarded after the outcome of such medical evaluation.

7. Upon hearing both parties and perusing the materials on record, this Court is of the view that the writ petition is premature and not maintainable at this stage. Admittedly, the impugned orders issued by the second and fourth respondents are in the nature of directions for undergoing a medical examination and there is no final determination made against the petitioner at this juncture. The petitioner has neither appeared for the said medical test nor has any adverse consequence followed from his failure or refusal to attend the same.



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8. This Court is of the considered opinion that no cause of action has arisen yet warranting invocation of writ jurisdiction under Article 226 of the Constitution. The proper course for the petitioner is to appear for the medical test. Accordingly, the petitioner is directed to appear for the medical test on **10.07.2025**. In the event the outcome of such examination results in any decision prejudicial to his rights or service conditions, it would be open to the petitioner to challenge the same through appropriate legal proceedings.

9. Therefore, this Court finds no grounds to entertain the writ petition at this stage and the same is liable to be dismissed as premature. Accordingly, the Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

NCC : Yes / No
Index : Yes / No
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27.06.2025

To:-

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Madurai Division,
TNSTC, By-pass Road,
Madurai - 625 016.



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VIVEK KUMAR SINGH, J.

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